

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

As Passed by the Seventy-Seventh Legislature

**1915**

[supplied from page 1 of volume]

## CHAP. 166

## Chapter 166.

An Act to Amend Section Eighteen of Chapter Two Hundred Twenty-two of the Public Laws of Nineteen Hundred Nine Relating to the Proceedings Where the Owner of a Vicious Dog Fails to Comply with an Order of the Court to Kill Such Dog.

*Be it enacted by the People of the State of Maine, as follows:*

Ch. 222, Sec.  
18, P. L.  
1909,  
amended.

—addi-  
tional.

Section eighteen of chapter two hundred twenty-two of the Public Laws of nineteen hundred nine is hereby amended by adding to said section the following: 'If the dog is not killed within the time fixed by such order, the court or magistrate making said order, may, upon application by the complainant, or other person, issue his warrant directed to the sheriff of the county or any of his deputies, or to any police officer or constable in the town where the dog is found, commanding such officer forthwith to kill said dog and to make return of his doings on said warrant to the court or magistrate issuing the same within fourteen days from date thereof. The officer shall receive from the county treasury two dollars for executing said warrant, together with his legal fees for travel, and the owner or keeper aforesaid shall be ordered to pay the costs of such supplementary proceedings,' so that said section as amended shall read as follows:

Written  
complaint  
may be  
made  
against  
dangerous  
dogs at  
large.

'Section 18. Whoever is so assaulted or finds a dog strolling outside of the premises or immediate care of its keeper, and the said dog is not safely muzzled, may, within forty-eight hours thereafter, make written complaint before the municipal or police court having jurisdiction in the city or town where its owner or keeper resides, or in case there is no court, before a trial justice in said town, that he really believes and has reason to believe that said dog is dangerous and vicious, whereupon said court or trial justice shall order said owner or keeper to appear and answer to said complaint by serving said owner or keeper of said dog with a copy of said complaint and order a reasonable time before the day set for the hearing thereon; and if upon hearing, the court or trial justice is satisfied that the complaint is true, he shall order the dog to be killed and the owner or keeper shall pay the costs. If the dog is not killed within the time fixed by such order, the court or magistrate making said order, may, upon application by the complainant, or other person, issue his warrant directed to the sheriff of the county or any of his deputies, or to any police officer or constable in the town where the dog is found, commanding such officer forthwith to kill said dog and to make return of his doings on said warrant to the court or magistrate issuing the

Officer may  
kill vicious  
dog, when  
owner re-  
fuses, by  
order of  
court.

same within fourteen days from date thereof. The officer shall receive from the county treasury two dollars for executing said warrant, together with his legal fees for travel, and the owner or keeper aforesaid shall be ordered to pay the costs of such supplementary proceedings.'

CHAP. 167

—fee for  
executing  
warrant.

Approved March 23, 1915.

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### Chapter 167.

An Act to Amend Section Nine of Chapter Eighty-three of the Revised Statutes, Relating to the Place for Bringing Actions upon Non-negotiable Chuses in Action by Assignees.

*Be it enacted by the People of the State of Maine, as follows:*

Section nine of chapter eighty-three of the Revised Statutes is hereby amended by adding thereto the following: 'Provided, however, that suits by the assignee of a non-negotiable chose in action, when brought in the Supreme Judicial or a superior, municipal, or police court, shall be commenced in the county in which the original creditor might have maintained his action; and when brought before a trial justice, the writ shall be made returnable before a magistrate who would have had jurisdiction had the chose in action not been assigned,' so that said section shall read as follows:

Ch. 83, Sec.  
9, R. S.,  
amended.  
—additional.

'Section 9. Personal and transitory actions, except process of foreign attachment, and except as provided in the seven following sections, shall be brought, when the parties live in the State, in the county where any plaintiff or defendant lives; and when no plaintiff lives in the State, in the county where any defendant lives; and when not so brought, they shall, on motion or inspection by the court, be abated and the defendant allowed double costs. When the plaintiff and defendant live in different counties at the commencement of any such action, except process of foreign attachment, and during its pendency one party moves into the same county with the other, it may on motion of either, be transferred to the county where both then live, if the court thinks that justice will thereby be promoted; and be tried, as if originally commenced and entered therein. Provided, however, that suits by the assignee of a non-negotiable chose in action, when brought in the Supreme Judicial or a superior, municipal, or police court, shall be commenced in the county in which the original creditor might have maintained his action; and when brought before a trial justice, the writ shall be made returnable before a magistrate who would have had jurisdiction had the chose in action not been assigned.'

Personal  
and transi-  
tory ac-  
tions, when  
and where  
to be com-  
menced.

—transfer  
from one  
county to  
another.

—proviso.